

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARK ALLEN STOUT,)	CASE NO.: 3:12-CV-1415
)	
Petitioner,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING MAGISTRATE'S</u>
)	<u>REPORT AND RECOMMENDATION</u>
WARDEN,)	
Toledo Correctional Institution,)	
)	
Respondent.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge James R. Knepp II. (ECF #20). The Report and Recommendation, issued on February 7, 2014, is hereby ADOPTED by this Court. Petitioner Mark Allen Stout filed this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner was granted leave until March 17, 2014 to file his objections to Magistrate Judge Knepp's Report, and timely filed his objections on March 14, 2014 (ECF #22).


This Court has since reviewed Magistrate Judge Knepp's Report and Recommendation *de novo*, and finds it to be thorough, well-written, and correct. *See* FED. R. CIV. P. 72(b)(3). This Court also finds that Petitioner Stout's objections to the Magistrate Judge's Report – while extensive – raise no arguments, either factual or legal, that have not already been comprehensively and competently addressed by the Magistrate Judge's Report. Without exception, this Court finds the Magistrate Judge's treatment of Petitioner's arguments to be correct and fair, and therefore adopts the Report in its entirety, over Petitioner's objections.

Magistrate Judge Knepp recommended in his well-reasoned Report that Mark Stout's Petition for Writ of Habeas Corpus be denied, and this Court finds no reason to disagree with

that recommendation. Therefore, the Report and Recommendation (ECF #20) is ADOPTED by this Court in its entirety, and Stout's Petition for Writ of Habeas Corpus is DENIED.

Further, for the reasons stated in this Order and in the Magistrate Judge's Report, a reasonable jurist could not conclude that dismissal of the Petition is in error or that Petitioner should be permitted to proceed further. Accordingly, this Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.



JUDGE DONALD C. NUGENT
United States District Judge

DATED: April 17, 2014